

**IN UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:08 CR 159
)	
GEORGE RAINEY)	

ORDER

Defendant George Rainey has filed a motion seeking a sentence reduction, presumably pursuant to 18 U.S.C. § 3582(c) in connection with Amendment 750 to the United States Sentencing Guidelines. Although the United States Sentencing Commission has acted so that the amendment will be retroactively applicable and potentially impact sentences for offenses involving crack cocaine, the effective date is November 1, 2011; and then only if the United States Congress takes no contrary action.

For this reason, defendant Rainey's motion is premature. Rather than denying the motion, the court will keep the motion and the attachments thereto under advisement until November 1, 2011. The court will address the motion promptly thereafter.

SO ORDERED.

Date: October 18, 2011

s/ James T. Moody
JUDGE JAMES T. MOODY
UNITED STATES DISTRICT COURT